



The Dow Chemical Company
Midland, Michigan 48674

May 30, 2013

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via e-filing

Cynthia Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, D.C. 204231

ENTERED
Office of Proceeding
May 30, 2013
Part of Public
Record

EX PARTE NO. 711, PETITION FOR RULEMAKING TO ADOPT REVISED COMPETITIVE SWITCHING RULES

Dear Ms. Brown:

The Dow Chemical Company ("Dow") submits this letter in support of the National Industrial Transportation League ("NITL") Petition for Rulemaking in the above-referenced proceeding. The comments received by the Board in response to its July 25, 2012 decision demonstrate that the NITL Petition has the potential to extend the benefits of rail-to-rail competition to many shippers without substantial detriment to the rail industry. Therefore, Dow strongly urges the Board to promptly issue a Notice of Proposed Rulemaking that proposes formal rules that would implement the NITL Petition.¹

Sincerely,

Brad Gray
Director
Logistics Purchasing

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1254 Enclave Parkway
Houston, TX 77077

¹ The Board's July 25, 2012 decision, although not styled as such, effectively served the purpose of an Advanced Notice of Proposed Rulemaking. Dow submits that, given the detail and specificity of the NITL Petition and the information collected by the Board to date, the Board has all the information that it needs to issue a Notice of Proposed Rulemaking at this time.